UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/208,998	12/11/1998	RAVI GANESAN	33500-029	8916

7590 02/25/2002

LALOS AND KEEGAN
1146 NINETEENTH STREET N W
FIFTH FLOOR
WASHINGTON, DC 200363703

EXAMINER
YOUNG, JOHN L

ART UNIT	PAPER NUMBER
2162	

DATE MAILED: 02/25/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

NM

Office Action Summary

Application No.	Applicant(s)
09/208,998	Ganesen et al.
Examiner	**Art Unit**
John Young	2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Dec 11, 2001* .

2a) ☒ This action is **FINAL.** 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-31 and 34* is/are pending in the application.

4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-31 and 34* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some* c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____ .
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☐ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 15

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

STATUS

1. **Claims 1-31 & 34 are now pending.**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

2. **Objection Withdrawn.**

DRAWINGS

3. **Draftsperson's review and approval are no longer required for drawings in utility applications regardless of the application filing date. The drawings in this application are acceptable for purposes of publishing.**

CLAIM REJECTIONS — 35 U.S.C. §103(a)

4. Rejections Maintained.

ORIGINAL CLAIM REJECTIONS

CLAIM REJECTIONS — 35 U.S.C. §103(a)

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set

> forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Independent claims 1, 9, 18, 21, 24 & 31 and dependent claim 2-8, 10-17, 20, 22-23, 25-30 & 34, are rejected under 35 U.S.C. §103(a) as being unpatentable over Nguyen et al. 5,931,917 (08/03/1999) [US f/d: 09/26/1998] (herein referred to as "Nguyen") in view of Rosen 5,557,518 (09/17/1996) (herein referred to as "Rosen'518").

As per claim 1, Nguyen (col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest:

"A method for conducting cashless transactions, comprising the steps of:

receiving, at a first network device associated with a seller, information identifying a

product intended to be purchased at a purchase price by a purchaser, the purchase price to be paid by a transfer to the seller of funds on deposit in or credited to an account of the purchaser . . . transmitting over a network, to a second network device associated with a financial institute at which the purchaser account is maintained, an authorization of the purchaser to pay the purchase price for the identified product through the transfer to the seller of the funds from the purchase account; determining if the funds in the purchaser account are sufficient with respect to the purchase price; and transmitting over the network, from the second network device to the first network device, an authorization of the financial institute for the seller to proceed with delivery of the identified product, the authorization being transmitted only if the funds are determined to be sufficient."

Nguyen does not explicitly show "the identity of the purchaser account being unknown to the seller. . . ."

Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module . . . or by authorization-based payment (requiring identification of the customer) using a credit card or debit card credential."*

Rosen'518 proposes "anonymous" transaction modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because it would have been obvious that the disclosure of Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) which

discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module. . . ."* would have been selected in accordance with "the identity of the purchaser account being unknown to the seller. . . ." and because such modifications would have provided *"a system which will allow customers to buy electronic merchandise or services on demand. . . ."* (See Rosen'518 (col. 1, ll. 60-63)).

As per claim 2, Nguyen in view of Rosen'518 shows the method of claim 1. (See the rejection of claim 1 supra).

Nguyen (FIG. 34) shows elements that suggest "transmitting over the network . . . the information identifying the product intended to be purchased."

Nguyen lacks an explicit recital of "transmitting over the network, from a third network device associated with the purchaser to the first network site, the information identifying the product intended to be purchased."

Rosen'518 (FIG. 5; and FIG. 43A) shows elements that suggest "transmitting over the network, from a third network device associated with the purchaser to the first network site, the information identifying the product intended to be purchased."

Rosen'518 proposes network device transmission modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because such modifications would have provided *"a system which will allow customers to buy electronic merchandise or services*

on demand. . . ." (See Rosen'518 (col. 1, ll. 60-63)).

As per claim 3, Nguyen in view of Rosen'518 shows the method of claim 2. (See the rejection of claim 2 supra).

Nguyen (col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the information is first information and the transmitted first information further identifies the purchaser and that the payment of the purchase price will be by the transfer of the funds from the purchaser account . . . to the seller, and further comprising the steps of: transmitting over the network, from the first network device to the third network device, second information identifying a plurality of products available for purchase, a plurality of purchase prices each associated with a respective one of the plurality of products, and a plurality of payment options including payment by the transfer to the seller of the funds and payment by at least one of credit card . . . selecting, at the third network device . . . the product to be purchased from the plurality of products and . . . the payment of the purchase price by the transfer of the funds form the plurality of

payment options; and transmitting over the network, from **[sic]** and the third network device to the second network device, third information identifying the product to be purchased, the purchase price of the product, and the purchaser."

Nguyen lacks an explicit recital of "the purchaser account unknown to the seller. . . ."

Nguyen lacks an explicit recital of "at least one of a debit card. . . ."

Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module . . . or by authorization-based payment (requiring identification of the customer) using a credit card or debit card credential."*

Rosen'518 proposes "anonymous" transaction modifications and debit card modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because it would have been obvious that the disclosure of Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) which discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module. . . ."* would have been selected in accordance with "the purchaser account unknown to the seller. . . ." and because such modifications would have provided *"a system which will allow customers to buy electronic merchandise or services on demand. . . ."* (See Rosen'518 (col. 1, ll. 60-63)).

As per claim 4, Nguyen in view of Rosen'518 shows the method of claim 3. (See the rejection of claim 3 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "the authorization of the purchaser is transmitted from the third network device to the second network device."

Nguyen lacks an explicit recital of "the authorization of the purchaser is transmitted from the third network device to the second network device." It would have been obvious that the disclosure of Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the authorization of the purchaser is transmitted from the third network device to the second network

device. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 5, Nguyen in view of Rosen'518 shows the method of claim 3. (See the rejection of claim 3 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "the third information is transmitted responsive only to the selecting the payment of the purchase price by the transfer of the funds. . . ."; however,

Nguyen lacks an explicit recital of: "the third information is transmitted responsive only to the selecting the payment of the purchase price by the transfer of the funds." It would have been obvious that the disclosure of Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll.

4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the third information is transmitted responsive only to the selecting the payment of the purchase price by the transfer of the funds. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 6, Nguyen in view of Rosen'518 shows the method of claim 3. (See the rejection of claim 3 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "automatically establishing a hyperlink to the second network device for transmission of the third information after the selecting of payment of the purchase price by the transfer of the funds. . . .", however,

Nguyen lacks an explicit recital of "automatically establishing a hyperlink to the second network device for transmission of the third information after the selecting of

payment of the purchase price by the transfer of the funds." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "automatically establishing a hyperlink to the second network device for transmission of the third information after the selecting of payment of the purchase price by the transfer of the funds. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 7, Nguyen in view of Rosen'518 shows the method of claim 3. (See the rejection of claim 3 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll.

1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "transmitting over the network, form the first network device to the second network device, a notice of delivery of the identified product to the purchaser;

and directing the transfer of the funds to the seller responsive to receipt of the notice of delivery at the second network device. . . ."; however,

Nguyen lacks an explicit recital of "transmitting over the network, from the first network device to the second network device, a notice of delivery of the identified product to the purchaser; and directing the transfer of the funds to the seller responsive to receipt of the notice of delivery at the second network device." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "transmitting over the network, form the first network device to the second network device, a notice of delivery of the identified product to the purchaser; and directing the transfer of the funds to the seller responsive to receipt of the notice of delivery at the second network device. . . ." because such selection would have

provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 8, Nguyen in view of Rosen'518 shows the method of claim 1. (See the rejection of claim 1 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "the method is performed in real time and the network is the Internet. . . ."; however,

Nguyen lacks an explicit recital of "the method is performed in real time and the network is the Internet." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll.

60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the method is performed in real time and the network is the Internet. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

Claim 9 is rejected for substantially the same reasons as claim 1.

Claim 10 is rejected for substantially the same reasons as claim 2.

Claim 11 is rejected for substantially the same reasons as claim 3.

Claim 12 is rejected for substantially the same reasons as claim 4.

As per claim 13, Nguyen in view of Rosen'518 shows the method of claim 11. (See the rejection of claim 11 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76,

ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "the third network device includes an input device for receiving the first input and the second input. . . .; however,

Nguyen lacks an explicit recital of "the third network device includes an input device for receiving the first input and the second input." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the third network device includes an input device for receiving the first input and the second input. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 14, Nguyen in view of Rosen'518 shows the method of claim 11. (See the rejection of claim 11 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8;

FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "the third network device is further configured to transmit, to the second network device via the network, the third information responsive only to receiving the second input. . . ."; however,

Nguyen lacks an explicit recital of "the third network device is further configured to transmit, to the second network device via the network, the third information responsive only to receiving the second input." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the third network device is further configured to transmit, to the second network device via the network, the third information responsive only to receiving the second input. . . ." because such selection would have provided "*[secure] transmission of data . . . between a*

plurality of computer systems over a public communication system, such as the Internet." (See Nguyen (the ABSTRACT)).

As per claim 15, Nguyen in view of Rosen'518 shows the method of claim 11. (See the rejection of claim 11 supra).

Nguyen (FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "the third network device is further configured to automatically establish a hyperlink to the second network device via the network for transmission of the third information responsive to receipt of the second input. . . ."; however,

Nguyen lacks an explicit recital of "the third network device is further configured to automatically establish a hyperlink to the second network device via the network for transmission of the third information. . . ." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col.

65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the third network device is further configured to automatically establish a hyperlink to the second network device via the network for transmission of the third information. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "the third information responsive to receipt of the second input. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

Claim 16 is rejected for substantially the same reasons as claim 7.

Claim 17 is rejected for substantially the same reasons as claim 8.

As per claim 18, Nguyen (col. 2, ll. 56-67; FIG. 22; FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "An article of manufacture for conducting cashless transactions over a network having a plurality of network stations, comprising: a computer readable storage medium; and computer programming stored on the storage medium, wherein the stored computer programming is configured to be readable from the computer readable storage medium by a computer and thereby cause the computer to operate so as to: generate a signal to establish a first network communications link, with a first network station associated with a seller; receive from the first network station, via the first network communications link, first information identifying a plurality of products available for purchase from the seller, a plurality of purchase prices each associated with a respective one of the plurality of products, and a plurality of payment options including payment of the purchase price by a transfer to the seller of funds from an account of a purchaser and payment by at least one of credit card . . . display the first information; receive first inputs from the purchaser

selecting a product from the plurality of products and a payment of the purchase price by the transfer of the funds form the plurality of payment options; automatically generate, responsive only to the selection of the payment of the purchase price by the transfer of the funds, a signal to establish a second network communications link with a second network station associated with a financial institute with which the account is maintained; transmit to the first network station, via the first network communications link, second information identifying the selected product, and the identity of the purchaser . . . transmit to the second network station, via the second network communications link, third information identifying the selected product, the purchase price of the selected product, and the identity of the purchaser; receive from the second network station, via the second network communications link, a request to approve payment of the purchase price by the transfer by the financial institute to the seller of the funds; receive second inputs from the purchaser approving payment of the purchase price for the selected product by the transfer by the financial institute to the seller of the funds; transmit to the second network station, via the second network communications link, fourth information representing the purchaser approval of the payment of the purchase price for the selected product by the transfer by the financial institute to the seller of the funds; and receive, via the second network communications link, fifth information representing an account statement indicating that the funds have been transferred from the account by the financial institute to the seller in payment of the purchase price of the selected product; and display the fifth information."

Nguyen lacks an explicit recital of "at least one of a debit card. . . ."

Nguyen lacks an explicit recital of "*without identifying the account. . . .*"

Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module . . . or by authorization-based payment (requiring identification of the customer) using a credit card or debit card credential."*

Rosen'518 proposes "anonymous" transaction modifications and debit card modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because it would have been obvious that the disclosure of Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) which discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module. . . ."* would have been selected in accordance with "*without identifying the account. . . .*" and because such modifications would have provided *"a system which will allow customers to buy electronic merchandise or services on demand. . . ."* (See Rosen'518 (col. 1, ll. 60-63)).

As per claim 19, Nguyen in view of Rosen'518 shows the method of claim 18. (See the rejection of claim 18 supra).

Nguyen (FIG. 22; FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG.

16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "each of the network communication links is an Internet communication link and the second network communications link is established by a hyperlink. . . ."; however,

Nguyen lacks an explicit recital of "each of the network communication links is an Internet communication link and the second network communications link is established by a hyperlink." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "each of the network communication links is an Internet communication link and the second network communications link is established by a hyperlink. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the

ABSTRACT)).

As per claim 20, Nguyen in view of Rosen'518 shows the method of claim 18. (See the rejection of claim 18 supra).

Nguyen (col. 2, ll. 56-67; col. 3, ll. 10-45; and col. 4, ll. 10-40) shows elements that suggest "wherein the first network communications link is a relatively unsecure communication link and the second network communications link is a relatively secure communications link."

Nguyen lacks an explicit recital of "wherein the first network communications link is a relatively unsecure communication link and the second network communications link is a relatively secure communications link. . . ."; however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (col. 2, ll. 56-67; col. 3, ll. 10-45; and col. 4, ll. 10-40) would have been selected in accordance with "wherein the first network communications link is a relatively unsecure communication link and the second network communications link is a relatively secure communications link. . . ." because such selection would have provided means for *"transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 21, Nguyen (col. 2, ll. 56-67; FIG. 22; FIG. 21A; FIG. 47; FIG. 54;

FIG. 64; FIG. 67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "An article of manufacture for conducting cashless transactions over a network having a plurality of network stations, comprising: a computer readable storage medium; and computer programming stored on the storage medium, wherein the stored computer programming is configured to be readable from the computer readable storage medium by a computer and thereby cause the computer to operate so as to: receive, via the network, information identifying a product, a purchase price of the product, an identity of a seller of the product, and an identity of a purchaser intending to purchase the product by payment of the purchase price through a transfer by a financial institute to the seller of funds from an account of the purchaser maintained with the financial institute . . . transmit to a first network station, via the network, a request for purchaser approval of the payment of the purchase price through the transfer by the financial institute to the seller of the funds; receive from the first network station, via the network, the purchaser approval of the payment; determine if the funds are sufficient with respect to the purchase price; and transmit to a second network station, via the network, an authorization of the financial institute to proceed with a sale to the purchaser of the product after the funds are

determined to be sufficient and the purchaser approval is received; transmit a direction to transfer the funds in payment of the purchase price of the product; and transmit to the first network station, via the network, an account statement indicating the funds have been transferred in payment of the purchase price of the product."

Nguyen lacks an explicit recital of "the account being unidentified to the seller. . . ."

Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module . . . or by authorization-based payment (requiring identification of the customer) using a credit card or debit card credential."*

Rosen'518 proposes "anonymous" transaction modifications and debit card modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because it would have been obvious that the disclosure of Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) which discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module. . . ."* would have been selected in accordance with "*without identifying the account. . . .*" and because such modifications would have provided *"a system which will allow customers to buy electronic merchandise or services on demand. . . ."* (See Rosen'518 (col. 1, ll. 60-63)).

As per claim 22, Nguyen in view of Rosen'518 shows the method of claim 21. (See the rejection of claim 21 supra).

Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the network is the Internet. . . ."; however,

Nguyen lacks an explicit recital of "wherein the network is the Internet." It would have been obvious that the disclosure of Nguyen (FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "wherein the network is the Internet. . . ." because such selection would have provided *"[secure] transmission of data . . . between a plurality of*

computer systems over a public communication system, such as the Internet." (See Nguyen (the ABSTRACT)).

As per claim 23, Nguyen in view of Rosen'518 shows the method of claim 21. (See the rejection of claim 21 supra).

Nguyen (col. 2, ll. 56-67; col. 3, ll. 10-45; and col. 4, ll. 10-40) shows elements that suggest "wherein communications transmitted to and received from the first network station via the network are relatively secure communications and communications transmitted to and received from the second network station via the network are relatively unsecure communications."

Nguyen lacks an explicit recital of "wherein communications transmitted to and received from the first network station via the network are relatively secure communications and communications transmitted to and received from the second network station via the network are relatively unsecure communications. . . .", however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (col. 2, ll. 56-67; col. 3, ll. 10-45; and col. 4, ll. 10-40) would have been selected in accordance with "wherein communications transmitted to and received from the first network station via the network are relatively secure communications and communications transmitted to and received from the second network station via the network are relatively unsecure communications. . . ." because such selection would have provided means for *"transmission of data . . . between a*

plurality of computer systems over a public communication system, such as the Internet."

(See Nguyen (the ABSTRACT)).

As per claim 24, Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "A method for conducting cashless transactions, comprising: transmitting, from a first network device representing a seller to a second network device representing a purchaser, information identifying a product available for purchase, a purchase price of the product, and a plurality of payment options including payment by a first form of payment and payment by a second form of payment different than the first form of payment; selecting one of the plurality of payment options at the second network device; transmitting, from the second network device to a third network device representing a financial institute, the information identifying the product to be purchased and the purchase price of the product, only if the payment of the purchase price by the first form of payment is selected; and transmitting, from the third network device, an authorization of the financial institute for the seller to proceed with delivery of the identified product to

the purchaser, responsive to the information transmitted from the second network device to the third network device."

Nguyen lacks an explicit recital of: "A method for conducting cashless transactions, comprising: transmitting, from a first network device representing a seller to a second network device representing a purchaser, information identifying a product available for purchase, a purchase price of the product, and a plurality of payment options including payment by a first form of payment and payment by a second form of payment different than the first form of payment; selecting one of the plurality of payment options at the second network device; transmitting, from the second network device to a third network device representing a financial institute, the information identifying the product to be purchased and the purchase price of the product, only if the payment of the purchase price by the first form of payment is selected; and transmitting, from the third network device, an authorization of the financial institute for the seller to proceed with delivery of the identified product to the purchaser, responsive to the information transmitted from the second network device to the third network device."

It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40

FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "A method for conducting cashless transactions, comprising: transmitting, from a first network device representing a seller to a second network device representing a purchaser, information identifying a product available for purchase, a purchase price of the product, and a plurality of payment options including payment by a first form of payment and payment by a second form of payment different than the first form of payment; selecting one of the plurality of payment options at the second network device; transmitting, from the second network device to a third network device representing a financial institute, the information identifying the product to be purchased and the purchase price of the product, only if the payment of the purchase price by the first form of payment is selected; and transmitting, from the third network device, an authorization of the financial institute for the seller to proceed with delivery of the identified product to the purchaser, responsive to the information transmitted from the second network device to the third network device. . . ." because such selection would have provided means for *"transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 25, Nguyen in view of Rosen'518 shows the method of claim 24.

(See the rejection of claim 24 supra).

Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the authorization of the financial institute is transmitted from the third network device to the first network device."

Nguyen lacks an explicit recital of "wherein the authorization of the financial institute is transmitted from the third network device to the first network device. . . ."; however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "wherein the authorization of the financial institute is transmitted from the third network device to the first network device. . . ." because such selection would have

provided means for *"transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 26, Nguyen in view of Rosen'518 shows the method of claim 25. (See the rejection of claim 25 supra).

Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "transmitting, from the third network device to the first network, the information identifying the product to be purchased and the purchase price of the product in conjunction with the transmission of the authorization of the financial institute."

Nguyen lacks an explicit recital of "transmitting, from the third network device to the first network, the information identifying the product to be purchased and the purchase price of the product in conjunction with the transmission of the authorization of the financial institute. . . ."; however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (FIG. 21A; FIG. 22;

FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "transmitting, from the third network device to the first network, the information identifying the product to be purchased and the purchase price of the product in conjunction with the transmission of the authorization of the financial institute. . . ." because such selection would have provided means for *"transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 27, Nguyen in view of Rosen'518 shows the method of claim 24. (See the rejection of claim 24 supra).

Nguyen (col. 2, ll. 56-67; FIG. 22; FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67;

col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the first form of payment is a transfer of funds on deposit in or credited to an account of the purchaser, the identity of the account being unknown to the seller, and further comprising: transmitting, from the third network device, an instruction to transfer the funds from the account to the seller in payment of the identified purchase price for the identified product."

Nguyen lacks an explicit recital of "the identity of the account being unknown to the seller. . . ."

Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module . . . or by authorization-based payment (requiring identification of the customer) using a credit card or debit card credential."*

Rosen'518 proposes "anonymous" transaction modifications and debit card modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because it would have been obvious that the disclosure of Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) which discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module. . . ."* would have been selected in accordance with "the identity of the account being unknown to the seller. . . ." and because such modifications would have provided *"a system which will allow customers to*

buy electronic merchandise or services on demand. . . ." (See Rosen'518 (col. 1, ll. 60-63)).

As per claim 28, Nguyen in view of Rosen'518 shows the method of claim 27. (See the rejection of claim 27 supra).

Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the account is maintained by the financial institute."

Nguyen lacks an explicit recital of "wherein the account is maintained by the financial institute. . . ."; however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll.

39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "wherein the account is maintained by the financial institute. . . ." because said financial institution would have had *"the responsibility of providing payment on behalf of the customer. . . ."* (See Nguyen (col. 2, ll. 48-50)).

As per claim 29, Nguyen in view of Rosen'518 shows the method of claim 24. (See the rejection of claim 24 supra).

Nguyen (col. 2, ll. 45-55; FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the second form of payment is one of payment by credit card and payment by debit card."

Nguyen lacks an explicit recital of "wherein the second form of payment is one of payment by credit card and payment by debit card. . . ."; however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (col. 2, ll. 45-55; FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2,

ll. 56-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with the disclosure of Nguyen (col. 2, ll. 45-55) because said financial institution would have had *"the responsibility of providing payment on behalf of the customer. . . ."* (See Nguyen (col. 2, ll. 48-50)).

As per claim 30, Nguyen in view of Rosen'518 shows the method of claim 24. (See the rejection of claim 24 supra).

Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 45-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "transmitting from the second network device to the first network device, the information identifying the product to be purchased, the purchase price of the product, and the second form of payment, if the payment of the

purchase price by the second form of payment is selected."

Nguyen lacks an explicit recital of "transmitting from the second network device to the first network device, the information identifying the product to be purchased, the purchase price of the product, and the second form of payment, if the payment of the purchase price by the second form of payment is selected. . . ."; however, it would have been obvious to one of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67; col. 2, ll. 45-67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 34; FIG. 35; FIG. 37; FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "transmitting from the second network device to the first network device, the information identifying the product to be purchased, the purchase price of the product, and the second form of payment, if the payment of the purchase price by the second form of payment is selected. . . ." because such selection would have provided means for *"transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 31, Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64; FIG. 67;

FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "A system for conducting cashless transactions over **[sic]** network, comprising: a first network device representing a seller configured to transmit information identifying a product available for purchase, a purchase price of the product, and a plurality of payment options including payment by a first form of payment and payment by a second form of payment different than the first form of payment; a second network device representing a purchaser configured to receive the transmitted information, to select one of the plurality of payment options, and to transmit a first message only if the first form of payment is selected as the one payment option and a second message only if the second form of payment is selected as the one payment option; and a third network device representing a financial institute; wherein the first message is transmitted to the third network device and includes information identifying the product to be purchased and the purchase price of the product; wherein the second message is transmitted to the first network device and includes information identifying the product to be purchased, the purchase price of the product, and the selected second form of payment; wherein the third network device is further configured to transmit an authorization of the financial institute for the seller to

proceed with delivery of the identified product to the purchaser, responsive to the transmitted first message."

Nguyen lacks an explicit recital of: "A system for conducting cashless transactions over **[sic]** network, comprising: a first network device representing a seller configured to transmit information identifying a product available for purchase, a purchase price of the product, and a plurality of payment options including payment by a first form of payment and payment by a second form of payment different than the first form of payment; a second network device representing a purchaser configured to receive the transmitted information, to select one of the plurality of payment options, and to transmit a first message only if the first form of payment is selected as the one payment option and a second message only if the second form of payment is selected as the one payment option; and a third network device representing a financial institute; wherein the first message is transmitted to the third network device and includes information identifying the product to be purchased and the purchase price of the product; wherein the second message is transmitted to the first network device and includes information identifying the product to be purchased, the purchase price of the product, and the selected second form of payment; wherein the third network device is further configured to transmit an authorization of the financial institute for the seller to proceed with delivery of the identified product to the purchaser, responsive to the transmitted first message."

It would have been obvious to a person of ordinary skill in the art at the time of the invention that the disclosure of Nguyen (FIG. 21A; FIG. 22; FIG. 47; FIG. 54; FIG. 64;

FIG. 67; FIG. 1B; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 22; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) would have been selected in accordance with "A system for conducting cashless transactions over **[sic]** network, comprising: a first network device representing a seller configured to transmit information identifying a product available for purchase, a purchase price of the product, and a plurality of payment options including payment by a first form of payment and payment by a second form of payment different than the first form of payment; a second network device representing a purchaser configured to receive the transmitted information, to select one of the plurality of payment options, and to transmit a first message only if the first form of payment is selected as the one payment option and a second message only if the second form of payment is selected as the one payment option; and a third network device representing a financial institute; wherein the first message is transmitted to the third network device and includes information identifying the product to be purchased and the purchase price of the product; wherein the second message is transmitted to the first network device and includes information identifying the product to be purchased, the purchase price of the product, and the selected second form of payment; wherein the third network device is further configured to transmit an authorization of the

financial institute for the seller to proceed with delivery of the identified product to the purchaser, responsive to the transmitted first message. . . ." because such selection would have provided means for *"transmission of data . . . between a plurality of computer systems over a public communication system, such as the Internet."* (See Nguyen (the ABSTRACT)).

As per claim 34, Nguyen in view of Rosen'518 shows the method of claim 31. (See the rejection of claim 31 supra).

Nguyen (col. 2, ll. 56-67; FIG. 22; FIG. 21A; FIG. 47; FIG. 54; FIG. 64; FIG. 67; FIG. 1C; FIG. 2; FIG. 3; FIG. 4; FIG. 5A; FIG. 7A; FIG. 8; FIG. 9; FIG. 15A; FIG. 15B; FIG. 16; FIG. 17; FIG. 18A; FIG. 18C; FIG. 18E; FIG. 19; FIG. 20A; FIG. 20B; FIG. 27; FIG. 28; FIG. 33; FIG. 34; FIG. 35; FIG. 37; FIG. 40 FIG. 48; FIG. 49; FIG. 50; col. 65, ll. 19-67; col. 66, ll. 1-5; col. 75, ll. 39-67; col. 76, ll. 39-67; col. 77, ll. 13-57; col. 78, ll. 4-25; col. 82, ll. 60-67; col. 82, ll. 1-67; col. 83, ll. 1-67; col. 84, ll. 1-67; col. 85, ll. 1-67; col. 86, ll. 1-67; and col. 88, ll. 7-47) shows elements that suggest: "wherein the first form of payment is a transfer of funds on deposit in or credited to an account of the purchaser, the identity of the account is unknown to the seller; and the third network device is further configured to transmit an instruction to transfer the funds from the account to the seller in payment of the identified purchase price for the identified product."

Nguyen lacks an explicit recital of "the identity of the account is unknown to

the seller. . . ."

Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module . . . or by authorization-based payment (requiring identification of the customer) using a credit card or debit card credential."*

Rosen'518 proposes "anonymous" transaction modifications and debit card modifications that would have applied to the electronic commerce teachings of Nguyen. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to add the modifications taught by Rosen'518 to Nguyen, because it would have been obvious that the disclosure of Rosen'518 (col. 1, ll. 65-67; col. 2, ll. 1-3; and col. 19, ll. 40-49) which discloses: *"Payment may be made in one of two alternative forms: by anonymous payment using a money module. . . ."* would have been selected in accordance with "the identity of the account is unknown to the seller. . . ." and because such modifications would have provided *"a system which will allow customers to buy electronic merchandise or services on demand. . . ."* (See Rosen'518 (col. 1, ll. 60-63)).

RESPONSE TO ARGUMENTS—707.07(f)

6. The following is an except of MPEP 707.07(f): "Where the [A]pplicant traverses any rejection, the examiner should . . . take note of the [A]pplicant's argument and answer the substance of it."

Applicant's arguments filed 12/11/2001 (Request for Reconsideration, paper #14) have been fully considered but they are not persuasive for the following reasons:

As per claims 1-31 and claim 34, in response to applicant's argument paper #14, that the prior office action makes "conclusory" statements of obviousness and lacks analysis of motivation, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge

generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the Examiner relies upon motivation from the knowledge generally available to one of ordinary skill in the art, as well as, suggestion and motivation in the references themselves.

In several instances, Applicant's comments argue against references individually. In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

For these reasons stated above, original the 35 U.S.C. §103(a) rejections are maintained.

THIS ACTION IS MADE FINAL. SEE MPEP §706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

CONCLUSION

7. Any response to this action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Any response to this action may be sent via facsimile to either:

(703) 746-7239 or (703) 872-9314 (for formal communications EXPEDITED PROCEDURE) or (703) 746-7239 (for formal communications marked AFTER-FINAL) or (703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Sixth floor Receptionist
Crystal Park II
2121 Crystal Drive
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30

A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.

2121 Crystal Drive

Arlington, Virginia.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

John L. Young

Patent Examiner

ERIC W. STAMBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

February 22, 2002